IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

WP(C).No. 32281 of 2007(R)

PETITIONER:

K.E.ABDUL RAHIMAN,
BEAUTY SILK HOUSE,
PAZHAVANGADI P.O., RANNY.

BY ADV. SRI.N.MURALEEDHARAN NAIR
ADV. SRI.V.K.SHAMUSUDHEEN

RESPONDENTS:
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1. AGRICULTURAL INCOME TAX & COMMERCIAL TAX OFFICER, RANNY-689 672..

2. DEPUTY COMMISSIONER (APPEALS), COMMERCIAL TAXES, THEVALLY, KOLLAM. PIN 691 009.

3. DEPUTY TAHSILDAR (H.QUARTERS), RANNY-689 672.

BY GOVT. PLEADER, SRI. K.P. PRADEEP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) No. 32281 OF 2007 R
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Dated this the 31st October, 2007

J U D G M E N T

Ext. P1 is the order of assessment in respect of which Ext. P2 appeal has been filed by the petitioner. However, the appeal was filed belatedly and hence Ext. P4 application for condonation of delay has been made. It is also submitted that although Ext. P3 application for stay is pending, revenue recovery proceedings have been initiated against the petitioner as per Exts. P5 and P6. It is in this background this writ petition has been filed.

2. Taking into account the submissions that are made, I dispose of this writ petition directing that Ext.P4 delay condonation application shall be considered by the 2nd respondent. Orders on the delay condonation application shall be passed as expeditiously as possible, at any rate within a period of 3 weeks of receipt of a copy of this judgment.

3. Thereafter, depending upon the outcome of Ext. P4, Ext. P2 appeal shall also be dealt with. In the meantime, revenue recovery proceedings pursuant to Exts. P5 and P6 shall be deferred on condition that the petitioner remits Rs.75,000/- within three weeks from today.

ANTONY DOMINIC
JUDGE

jan/-